

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 13 2005

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

JAMES DAVID HINKLE, REG.
#10250-084,
Petitioner,

Civil Action No. 7:03-cv-00236
Crim. No. 5:03-CR-30080

v.

FINAL ORDER

UNITED STATES OF AMERICA,
Respondent.

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the motion to dismiss is hereby **GRANTED**; this action, brought as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. §2255, shall be and hereby is **DISMISSED**; and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 13th day of September, 2005.


Senior United States District Judge